

Rules of Operation for Board of Ethics

1. Three present members of Board constitute a quorum.
2. Simple majority vote necessary for most motions. The exceptions being votes on probable cause and/or possible ethics violations. These two situations require three affirmative votes.
3. All complaints to the Board of Ethics shall be in writing, dated and signed by the complainant with complainant's name and address.
 - A. The respondent of any complaint will be sent a copy of the complaint (marked personal and confidential).
4. When a complaint is received, the Board shall first discuss and deliberate the complaint in executive session.
 - A. If the Board decides probable cause does not exist, a vote in open session will be held.
 - B. If the Board votes no probable cause exists, then no further action will be taken.
 - C. The Board will notify the complainant by mail (personal and confidential) and send the respondent a copy (personal and confidential).
5. If the complaint raises an issue of probable cause, the Board will provide an opportunity for the complainant to be heard in executive session. A date will be established and the complainant so notified. The respondent will also be notified.
6. After the complainant has been heard in executive session, the Board shall discuss and deliberate whether or not there is probable cause that an ethical violation has occurred.
7. The Board will then vote in open session to determine if an ethics violation has occurred.
 - A. If the Board determines that there is not probable cause that an ethical violation has occurred, the Board will notify the complainant in writing of the fact by a communication marked "personal and confidential" and no further action shall be taken. The respondent will be sent a copy marked "personal and confidential".

B. If the Board determines that there is probable cause that an ethics violation has occurred, then the Board will provide an opportunity for the respondent to be heard in executive session. A date will be established and the respondent so notified. (marked personal and confidential). The complainant will be sent a copy marked "personal and confidential". After hearing the respondent in executive session, the Board shall discuss and deliberate whether or not an ethical violation has occurred. More executive sessions can be held to further discuss and deliberate the issue. The Board will then in open session vote as to whether or not an ethical violation has occurred. The Board will then notify the complainant and the respondent the decision of the Board. (personal and confidential)

8. If the Board determines that an ethics violation has occurred, it will notify the Board of Selectmen. The Board of Selectmen shall, thereupon, take such action it may deem appropriate.

9. In the event that the ethics violation involves any member of the Board of Selectmen, the Board can take appropriate action.

Dated October 18, 2016

S/ Richard S. Scalo

Richard Scalo,
Chairman